

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**RESOLUTION No. 2017-060**

**A RESOLUTION OF THE CITY OF SOUTH FULTON, GEORGIA  
EXECUTING A COOPERATIVE AGREEMENT BETWEEN THE CITY  
OF SOUTH FULTON AND THE FULTON INDUSTRIAL COMMUNITY  
IMPROVEMENT DISTRICT AND TO PROVIDE AN EFFECTIVE DATE**

**WHEREAS**, the City of South Fulton (“the City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, a Community Improvement District (CID) is a self-taxing organization to fund public infrastructure, beautification projects and promote economic development in the district;

**WHEREAS**, Community Improvement Districts are authorized by Article IX, Section VII of the Georgia Constitution;

**WHEREAS**, the Fulton Industrial Community Improvement District was established in 2010;

**WHEREAS**, subsequent to the creation of the CID, the City was created in a geographical area including real property within the CID, and elected a Mayor and City Council which took office May 1, 2017;

**WHEREAS**, a majority of the owners of real property within a proposed expansion area, as attached hereto, which will be subject to taxes, fees, and assessments levied by the District Board, have consented in writing to their inclusion into the CID;

**WHEREAS**, the owners of real property within the proposed expansion area of the CID which constitutes at least 75% of value of all real property within said expansion area which will be subject to taxes, fees and assessments levied by the District Board, according to the most recent approved Fulton County ad valorem tax digest, have consented in writing to their inclusion into the CID;

**WHEREAS**, the City Council has determined that the expansion of the CID would promote the provision of governmental services and facilities within said District;

**WHEREAS**, the City Council has determined that the expansion of the CID would be in the best interest of the citizens of the City; and

**WHEREAS**, the Fulton Industrial Community Improvement District remains competitive for industrial users and continues to serve as a highly important source of industrial land, employment and economic vitality.

**BE IT HEREBY RESOLVED** by the Mayor and City Council that:

1. The City of South Fulton agrees with the provisions and enters into the Cooperative Agreement with Fulton Industrial Community Improvement District.
2. Authorizes the Mayor to execute the Agreement.

The foregoing Resolution No. **2017-060**, adopted on **October 10, 2017**, was offered by **Mayor Pro Tem Rowell**, who moved its approval. The motion was seconded by Councilmember **Willis**, and being put to a vote, the result was as follows:

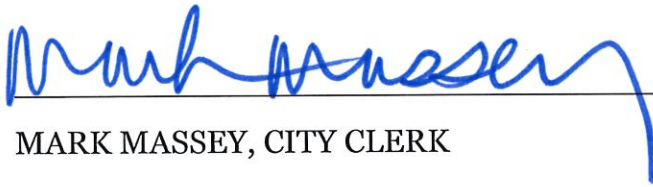
|   | <b>AYE</b>         | <b>NAY</b>        |
|---|--------------------|-------------------|
| <b>William "Bill" Edwards, Mayor</b>          | <u>✓</u>           | <u>          </u> |
| <b>Catherine Foster Rowell, Mayor Pro Tem</b> | <u>✓</u>           | <u>          </u> |
| <b>Carmalitha Lizandra Gumbs</b>              | <u>Not in Room</u> | <u>          </u> |
| <b>Helen Zenobia Willis</b>                   | <u>✓</u>           | <u>          </u> |
| <b>Gertrude Naeema Gilyard</b>                | <u>✓</u>           | <u>          </u> |
| <b>Rosie Jackson</b>                          | <u>          </u>  | <u>✓</u>          |
| <b>khalid kamau</b>                           | <u>          </u>  | <u>✓</u>          |
| <b>Mark Baker</b>                             | <u>          </u>  | <u>✓</u>          |

THIS RESOLUTION adopted this 10<sup>th</sup> day of October 2017. **CITY OF SOUTH FULTON, GEORGIA**



WILLIAM "BILL" EDWARDS, MAYOR

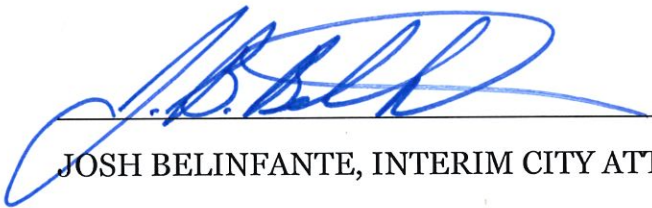
ATTEST:



MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:



JOSH BELINFANTE, INTERIM CITY ATTORNEY





STATE OF GEORGIA  
COUNTY OF FULTON

CERTIFICATE OF COMPLIANCE

I, ARTHUR E. FERDINAND, as Fulton County Tax Commissioner, do hereby certify to the Fulton County Board of Commissioners regarding the proposed expansion of the Fulton Industrial Community Improvement District, as shown on the map attached hereto as Exhibit "A" and required under the Fulton County Community Improvement District Act (Ga. L. 1987, p. 5460), as amended, the following:

That written consents to the expansion of the Community Improvement District have been obtained from:

1. A majority of the owners of real property within the District which will be subject to taxes, fees, and assessments levied by the Board of the District; and
2. The owners of real property within the District which constitutes at least seventy-five (75%) percent by value of all real property within the District which will be subject to taxes, fees and assessments levied by the District Board and for this purpose values are determined by the most recent County ad Valorem tax digest.

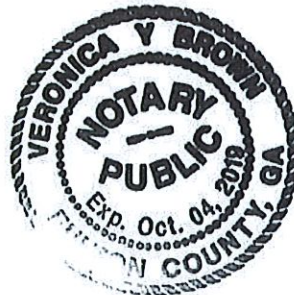
This the 22<sup>nd</sup> day of September, 2017.

Gladyz Bradford  
Witness

Arthur E. Ferdinand  
ARTHUR E. FERDINAND, Tax Commissioner  
Fulton County, Georgia

Sworn to and subscribed before  
me this 22<sup>nd</sup> day of September, 2017.

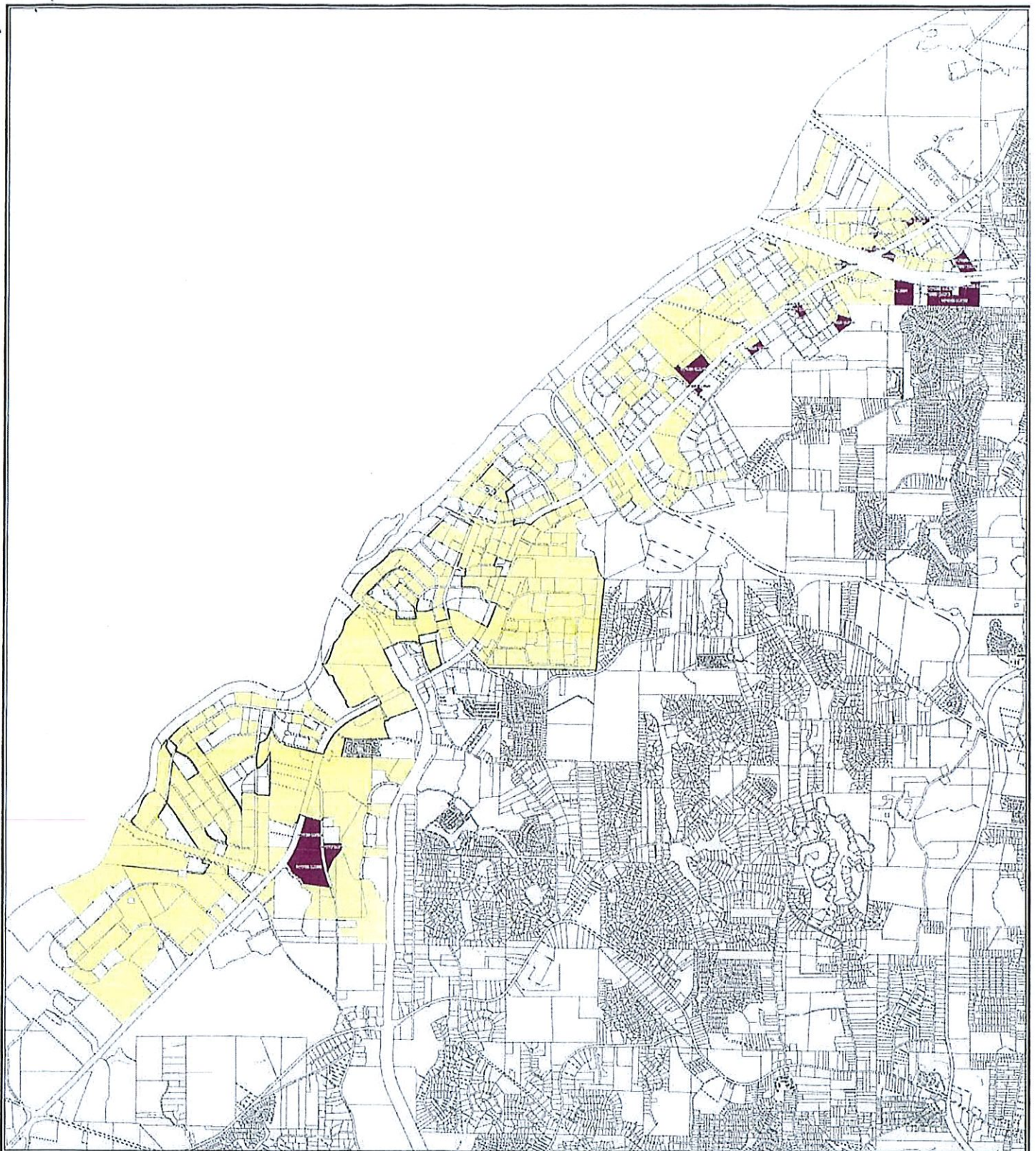
Veronica Y. Brown  
Notary Public



**Fulton Industrial  
Improvement District Expansion**

[illegible]





# **Final Fulton Industrial CID Expansion 2017**

September 2017



0 1,200 2,400 4,800 7,200 9,600  
Feet

## **Legend**

- Final Expansion Parcels
- Tax Parcels
- Fulton Industrial CID



Prepared by the  
Fulton County Board of Assessors  
Geographical Information System Division

Map Date: 09/15/2017  
Fulton County Board of Assessors  
Geographical Information System Division



STATE OF GEORGIA  
COUNTY OF FULTON

COOPERATION AGREEMENT

This Agreement is made and entered into on the date last signed below, by and between the CITY OF SOUTH FULTON, a political subdivision of the State of Georgia (hereinafter called the "City"), and the FULTON INDUSTRIAL COMMUNITY IMPROVEMENT DISTRICT Board (hereinafter called the "CID Board").

WHEREAS, the Fulton Industrial Community Improvement District (hereinafter called the "District") was created pursuant to an act of the Georgia Legislature, 1987 Ga. L. 5460, such act (hereinafter "Local Act") being authorized pursuant to Article IX, Section VII, ¶ 1 of the Constitution of the State of Georgia, as amended in 1984;

WHEREAS, the District lies partially within the City and is intended to provide a means to supplement and enhance, but not replace, government services and facilities in the District; and

WHEREAS, the Local Act requires that the services and facilities furnished within the District pursuant to said Act shall be provided for in a cooperation agreement executed jointly by the CID Board and the governing bodies within which the District is located.

NOW, THEREFORE, in consideration of the mutual covenants and benefits flowing to the parties, the City and the CID Board do agree as follows:

1.

This Agreement shall in no way limit the authority of the City to provide services or facilities within the District. The City shall retain full and complete authority and control over any of its facilities located within the District.



2.

The City shall not reduce its services and facilities in the District for the purpose of replacing the City's cost with District funds as the parties intend said funds to be utilized to supplement and enhance what the City would otherwise provide had no District been created. This Agreement does not affect the authority of the City to increase or decrease the level of any particular service provided in the course of its operations and within the scope of those powers granted or conferred to it under any applicable law.

3.

Each party acknowledges that the CID Board is authorized to exercise its powers for the provision of the following services and facilities:

- 1) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices to control the flow of traffic on streets and roads;
- 2) Parks and recreation areas and facilities;
- 3) Stormwater and sewage collection and disposal systems;
- 4) Development, storage, treatment, purification and distribution of water;
- 5) Public Transportation, including, but not limited to, services intended to reduce the volume of automobile traffic, to transport two or more persons, to improve air quality, and to provide bicycle and pedestrian facilities and the operation of a traffic management association or similar entity;
- 6) Terminal and dock facilities and parking facilities; and
- 7) Such other services and facilities as may be provided for by general law.

4.

The CID Board shall levy a tax millage as provided by law and shall notify the Fulton County Tax Commissioner of the amount of the levy, in writing, so that the levy may be included on the Fulton County ad valorem tax bills. The proceeds collected by Fulton County will be transmitted

by Fulton County to the CID Board within thirty (30) days after its collection so as to be expended by the CID Board only for the purposes for which the District was created.

5.

Neither the District nor the CID Board shall have any power or authority to contract in the name of, encumber or create debt for or on behalf of the City.

6.

The City and the CID Board shall advise each other of their respective plans for study, design, improvement, and governmental services within the District.

7.

Each of the parties hereto shall endeavor to act in such manner so as to coordinate actions for the maximum improvement of the City and District and each shall endeavor not to duplicate services and actions so as to obtain efficiency of effort.

8.

The parties agree that joint efforts are usually for the benefit of the CID and the City. The City may endeavor to furnish staff support for the benefit of the District when such services are requested by the CID Board, but shall not be required to furnish such staff support.

9.

This Agreement shall have a duration of not more than fifty (50) years, or expire upon dissolution of the CID as provided by law, whichever shall occur first, and shall not be modified except by formal written action of both parties.

WHEREFORE, the parties have caused this Intergovernmental Agreement to be executed under seal by authorized representatives of each entity on the day and year set forth below.

**FULTON INDUSTRIAL COMMUNITY IMPROVEMENT DISTRICT**

Attest:

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chairman of the Board

Date: \_\_\_\_\_

**CITY OF SOUTH FULTON, GEORGIA**

Attest:

  
Mark Massey, City Clerk



By:   
William "Bill" Edwards, Mayor

Date: 10/17/2017

Approved as to form:

  
Josh Belinfante, Interim City Attorney

**RECEIVED**

**OCT 10 2017**

City of South Fulton